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In re Application of	:	
Hiroki UENO	:	
Application No.: 10/574,341	:	DECISION ON
PCT No.: PCT/JP04/013305	:	
Int. Filing Date: 14 September 2004	:	PETITION
Priority Date: 02 October 2003	:	
Attorney's Docket No.: 050203-0146	:	UNDER 37 CFR 1.181
For: EXHAUST GAS PURIFYING	:	
APPARATUS FOR ENGINE	:	

This decision is in response to the "SECOND REQUEST FOR CORRECTED 371(c) DATE," filed on 13 December 2007, which is being treated as a petition under 37 CFR 1.181 requesting that the 371(c)(1), (c)(2), and (c)(4) date of the above application be corrected to November 22, 2006.

BACKGROUND

On 31 March 2006, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), and a copy of the international application. However, no executed oath or declaration was filed on such date.

On 22 November 2006, applicant filed an executed declaration.

On 28 November 2006, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicant, inter alia, that an "Oath or Declaration of the inventors, in compliance with 37 CFR 1.497(a), and (b), identifying the application by International application number and international filing date" must be submitted within two months from date of mailing or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

On 11 December 2006, applicant filed another copy of the executed declaration filed on 22 November 2006.

On 13 April 2007, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495" which informed applicants that the 371(c)(1), (c)(2) and (c)(4) and that the date of completion of all 35 U.S.C. 371 is 11 December 2006.

On 13 December 2007, applicant submitted the present petition.

DISCUSSION

A review of the file indicates that a properly executed declaration was filed on 22 November 2006. Thus, the date of receipt of the executed declaration for the above application is 22 November 2006, which is the date that applicants satisfied the requirement under 35 U.S.C. 371(c)(4). Accordingly, this is the date that all of the requirements under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) have been satisfied.

DECISION

The petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 13 April 2007 is **VACATED** with the mailing of this decision.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **11 December 2006**.



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